

UNITED STATES OF AMERICA, :
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 v. : Case No. 2:14 CR 77-1
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 MICHAEL J. FORESTE :

The court declines to issue a certificate of appealability, which may issue in a §2255 proceeding “only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. §2253(c)(2). Generally,

a movant meets this burden by demonstrating that "reasonable jurists could debate whether...the [motion] should have been resolved in a different manner or that the issues presented [a]re adequate to deserve encouragement to proceed further." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (internal quotation marks omitted). Mr. Foreste has not made a showing, and thus the court will not issue a certificate of appealability.

SO ORDERED.

DATED at Burlington, in the District of Vermont, this 22nd day of October, 2019.

/s/ William K. Sessions III
William K. Sessions III
District Court Judge